UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

470 Atlantic Avenue
Boston, Massachusetts
May 13, 1964

LEE HARVEY OSWALD

RE: Appearance of Attorney Mark Lane at Brandeis University, Waltham, Massachusetts on 4/30/64

Personnel at the Office of the Dean of Students, Brandeis University, Waltham, Massachusetts, on April 23, 1964, advised that Mark Lane would appear at a public meeting in Schwartz Auditorium, Brandeis University, on April 30, 1964, at 8:30 p.m. under the sponsorship of the Students Political, Education and Action Committee, an approved undergraduate organization.

On April 30, 1964, sources advised that Mark Lane appeared as above and that the topic of his discussion was "The Innocence of Lee Harvey Oswald."

Lane commenced his talk by saying that he had been making public appearances on this topic throughout Europe and the United States and added further that in Europe much more information had been made available to the public than in the United States concerning the assassination of President Kennedy. He said in Europe there are doubts as to Oswald's guilt and that people there feel Oswald was either a part of a conspiracy or that he is innocent.

Following his opening remarks, Lane cited discrepancies in photographs which appeared in national magazines and newspapers of Oswald holding a rifle. In this connection, he pointed out that "Life" magazine of

February 21, 1964, carried photographs of Oswald holding a rifle and wearing a pistol on his hip. Lane claimed that this photograph was taken in the Spring of 1963, yet Federal Bureau of Investigation inquiries have determined that Oswald did not purchase the rifle until September, 1963. Lane also pointed out that supposedly similar photographs appeared in the "Detroit Free Press" and the "New York Times" but noted that some of these showed major indentations on the stock of the rifle, whereas other photos did not. He pointed out that the identical photograph which appeared in "Life" magazine appeared in the "New York Times" but that the telescopic sight was missing from the "New York Times" picture. Lane determined that the "New York Times" picture was obtained from the Associated Press. When Lane attempted to learn the source of this particular picture, the Associated Press advised him they could not disclose the source.

As further evidence of incorrect press coverage, Lane stated that an Associated Press article had quoted Dick Goodwin, Oswald's superior officer in the Marine Corps as describing Oswald as a crack shot, but one whom they were glad to see leave the Marines as he was a "hot head". According to Lane, Goodwin retracted this story stating he had had someone else in mind, but this retraction never appeared in the press. Lane also stated he had Oswald's Marine Corps record, which showed Oswald was not a "crack shot."

With reference to the weapon used in the assassination, Lane said it was announced on November 22, 1963, that the gun was a 7.65 mm. German Mauser, but that on November 23, 1963, the Federal Bureau of Investigation announced that it was a 6.5 mm. Italian Carbine which had been purchased by Oswald in March, 1963, under the name of A. Hidell. On this basis, District Attorney Henry Wade of Dallas changed the original story concerning the gun and now claims the murder weapon was the Italian Carbine.

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Mr. Lane commented on the fact that Dallas Police Chief Jesse Curry on November 24, 1963, made a statement "Oswald is dead. The case is closed and there will be no further investigation.". Lane used this as an example of the attitude adopted by investigative agencies that Oswald was the undisputed assassin of President Kennedy.

In connection with a paraffin test conducted on Oswald as a result of which District Attorney Wade announced that Oswald was the assassin, Mr. Lane stated that such a test is inexact and inconclusive. According to Lane, while the paraffin showed particles of nitrate on Oswald's hands, no nitrate particles were found on his face. The conclusion is that Oswald may have fired a revolver, but did not fire a rifle.

Mr. Lane commented that he had no faith in the Warren Commission based on a statement made by Chief Justice Earl Warren to the effect that the public may never get the facts in this case for reasons of national security. Lane complained that Oswald has had no representation before the Warren Commission and that he is entitled to such representation.

With respect to procedure on the Warren Commission, Lane commented that Chief Justice Warren is too busy to attend the hearings and that "the second in command," Mr. Allen Dulles, is running the hearings. He also commented that the Commission itself is political in nature and therefore cannot make an unbiased finding. Lane claims that in any court of the land, each and every member of the Commission would be excluded from serving on a jury on the basis of his association with the government. Lane stated that Congressman Ford of Michigan, a member of the Commission and also a former Federal Bureau of Investigation agent, is the spokesman for the Federal Bureau of Investigation in the Congress of the United States. He said the Warren Commission will not get all the facts because the Federal Bureau of Investigation and the Secret Service will not want to disclose all the results of the investigation.

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Lane pointed out that in his opinion, Oswald had been denied his proper rights including the right to counsel before the Warren Commission.

Mr. Lane referred to his own testimony before the Warren Commission where, upon his own request, he was allowed to testify in open session. Later at his request, he was furnished a transcript of his testimony except for the first four pages which were missing. Later, these four pages were furnished him bearing a "top secret" classification, even though he had testified publicly and the first four pages actually dealt only with his request to testify in open session. Mr. Lane ridiculed this procedure on the part of the Commission.

Lane referred to an article by Bob Considine in the "New York Journal American" of February 23, 1964, relative to an individual named Warren Reynolds, owner of a used car lot in Dallas who reportedly heard three shots fired and then saw a man run by his car lot immediately following the shooting of Patrolman Tippit of the Dallas Police force. According to the article, the witness Reynolds was subsequently shot through the head by a rifle but survived. The Dallas Police Department then arrested a man for the Reynolds shooting who furnished the Dallas Police Department the alibi that he was in the company of Betty MacDonald at the time of the Reynolds shooting. Betty MacDonald turned out to be a former dancer in Jack Ruby's night club. As a result of the alibi, the man arrested for the Reynolds shooting was released and has disappeared. Betty MacDonald was subsequently arrested for disorderly conduct and later hung herself in a jail cell in Dallas. The above story according to Lane never again appeared in the United States press. Mr. Lane cited this story by Considine as an instance where persons having pertinent information have mysteriously disappeared from Dallas.

Also in connection with the shooting of Patrolman Tippit, Lane pointed out that immediately after the shooting the Dallas Police Department issued an alert describing the killer of Tippit as a white male, 5'9" to 5'10" tall, slender, blond receding hair, which description fits Oswald. However, Lane stated he later went to Dallas and interviewed the only eyewitness to the

Tippit shooting, a Mrs. Helen L. Markham who at first would not talk to him saying she had been cautioned not to discuss the matter by the Federal Bureau of Investigation, the Secret Service and the Dallas Police Department. Lane said she finally agreed to talk to him when he convinced her he was to use her story in his testimony before the Warren Commission. In her statement to him, she described Tippit's killer as a short stocky white male, with bushy hair, which description did not fit Oswald. Attorney Lane claims that Mrs. Markham has now mysteriously disappeared.

With respect to the theory that President Kennedy was shot from the rear by Oswald and from the Texas Book Depository, Mr. Lane stated the evidence does not bear out this theory. He stated that the original route of the President's caravan was down Main Street to the railroad overpass and into the Trade Mart; however, for unknown reasons, the route was changed so that the caravan would pass directly in front of the Texas Book Depository building. He claimed that this was an official change, that it was not publicized and that Oswald could not have known of this change.

Lane stated that doctors at the Parkland Hospital first reported President Kennedy was shot in the throat; that Doctor Perry had performed a tracheotomy placing a tube through the entrance wound in the President's throat; that the wound ranged inward and downward toward his lungs. In line with the doctors original diagnosis, the first theory of the assassination was that President Kennedy was shot from the Texas Book Depository building as the car in which he was riding was approaching the building. This theory, however, had to be discontinued when it was determined that the car in fact, had passed the Texas Book Depository building before the first shot was fired and further this building would have been to the rear of President Kennedy.

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According to a second theory, it was developed that at the time of the first shot, the President had turned around in his seat facing the Texas Book Depository building. In this regard, he stated that "Life" magazine published an article stating that the President had turned completely around at the time the first shot was fired thus supporting the theory that the first shot hit him in the throat. However, Lane pointed out that "Life" magazine subsequently showed pictures of the President taken by an amateur photographer at the time of the shooting showing that the President was not turned around but was facing forward with his back to the Texas Book Depository building.

Mr. Lane stated that this theory persisted for a whole month when the medical evidence was suddenly changed. He stated that the Secret Service agents then went to the Parkland Hospital with an autopsy report made at Bethesda Hospital and that for the first time they questioned Parkland Hospital doctors. The story then came out that all the doctors at Parkland Hospital were mistaken, that the wound in the throat was now termed an exit wound instead of an entrance wound and that the first shot had struck President Kennedy in the back of the head. According to Attorney Lane, these doctors were never able to see the autopsy report and were in effect forced to change their original story.

With respect to the government's final theory that President Kennedy was shot from the rear, Lane stated that a total of nine witnesses had reported that the shots originated from the railroad overpass or from behind a concrete wall near the railroad overpass, both of which were in front of the President. Lane stated he attempted to interview these witnesses but that only one of them, Miss Irene Hill, a Dallas schoolteacher, would talk to him. Miss Hill told Lane she heard four to six shots fired and that they had come from an area near the railroad overpass. She stated she had previously been interviewed by the Secret Service agents who had tried to convince her that only three shots had been fired and that if she felt she had heard more than three shots, perhaps it was firecrackers or echoes. She told Lane she had advised the Secret Service that she was certain she heard four to six shots fired to

which they replied, " There were three bullets and three wounds and we are saying three shots.". Lane played a record which he claimed was his interview with Irene Hill substantiating her above statement.

Lane questioned why the Federal Bureau of Investigation and Secret Service with their knowledge of Oswald's background had not considered it desirable to follow Oswald on the day of the assassination particularly in view of the fact that the Presidential caravan was to pass the area of the Texas Book Depository, where Oswald was known to be employed. He noted that everyone who had ever spoken out in favor of integration in Dallas was followed on that day by the Federal Bureau of Investigation, the Secret Service and the Dallas police. He pointed out that the government wanted the public to believe that Oswald was able to walk into his place of employment carrying a rifle in spite of all the security precautions which had been set up for the President's visit. He stated that the Federal Bureau of Investigation in answer to the question as to why Oswald had not been surveilled stated that the Federal Bureau of Investigation's area of jurisdiction concerned only spies and saboteurs.

Mr. Lane stated that on the previous day, he was "accosted" by two Federal Bureau of Investigation agents near his home in New York. They asked him if he had unauthorized information from the Federal Bureau of Investigation files. He stated he did not and he asked the agents if it was that easy to get information from the Federal Bureau of Investigation files. They repeated their question and Lane told them he was an attorney in New York City, that he had an office there and that he did not appreciate being contacted on the sidewalk. He then told them that if they wished to question him they could direct a letter to his office. Again they repeated their question, but Lane terminated this by leaving and taking a taxi.

Lane's talk was followed by a question-and-answer period which in substance was as follows:

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Q. Has Governor Connally had anything to say?

A. He testified, but his testimony was not made public.

Q. What was the motive for the assassination?

A. No known motive, Oswald appeared to like President Kennedy.

Q. Who did it?

A. Not my job to find that out.

Q. What can be done to obtain the true information?

A. A Citizens Committee of Inquiry has been formed and student committees are being formed at colleges throughout the country for the purpose of raising funds to send investigators to Dallas.

Q. What was the caliber of the bullet?

A. We don't know; this was not made public.

Q. Was there more than one assassin?

A. I believe so.

At that point, Attorney Lane stated that he was writing a book and that the only publisher who would publish his story was "World Press".

Q. Why did you get involved in this investigation?

A. I have been interested in rights of people for many years; there are many contradictions in this case; further, the pre-trial publicity in this case deprived Oswald of a fair trial if he had lived. Lane stated he had tried to

get his theories published in the "Nation" but this publication did not want to be involved. Finally, the "National Guardian" published his theories of the assassination. He said that he had published an article concerning the assassination in the "Law Review" which had come to the attention of Mrs. Marguerite Oswald and that as a result of the article, she had hired Lane to represent her. Lane stated that he did not intend to leave this case until the American people get the information they are entitled to.

Q. Have you approached the Kennedy family for any help in your investigation?

A. I expect to see Robert Kennedy in two weeks.

In conjunction with the talk by Mr. Lane, copies of "The National Guardian" were available at the door. This was described as "a guardian special". It mentions that it is a special eight-page tabloid-size pamphlet published by the "National Guardian" newspaper weekly as a public service. It is based largely on a five-page brief on the Oswald case published in the December 19, 1963 issue of "The Guardian," written by Attorney Mark Lane. The pamphlet gives Lane's version of the Oswald case. A characterization of the "National Guardian" is contained in the appendix hereto.

The "New York Herald Tribune" newspaper dated January 15, 1964, page 7, column 1, contained an article entitled "Oswald's Mother Hires Lane". This article stated that on January 14, 1964, Mrs. Marguerite C. Oswald, mother of accused assassin Lee Harvey Oswald, announced she had hired Mark Lane to represent her slain son before the Warren Commission investigating the murder of President John F. Kennedy. According to this article, Mrs. Oswald stated she had been in

contact with Lane during his stay in Fort Worth, Texas, the previous weekend. It was also pointed out that Lane had accepted the case although Mrs. Oswald stated she had no funds with which to pay him.

The April 2, 1964, issue of the "New York Times", page 37, column 5, contained an article captioned "Mother of Oswald Ends Tie with Lane". The article indicated Mrs. Marguerite Oswald said she had dismissed Mark Lane, her New York lawyer, and that he should stop any "Organized campaign" on behalf of her son through his "Citizens Committee of Inquiry".

A characterization of the NYCAHUAC is contained in the appendix hereto.

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APPENDIX

NATIONAL GUARDIAN

The "Guide to Subversive Organizations and Publications," revised and published as of December 1, 1961, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning the "National Guardian":

"National Guardian

"1. 'Established by the American Labor Party in 1947 as a "progressive" weekly * * * . Although it denies having any affiliation with the Communist Party, it has manifested itself from the beginning as a virtual official propaganda arm of Soviet Russia.' (Committee on Un-American Activities, Report, Trial by Treason: The National Committee to Secure Justice for the ROSENBERGS and MORTON SOBELL, August 25, 1956, p. 12.)"

Pages 12 and 13 (two appendices) are withheld from release under 5 U.S.C. 552 (b)(7)(D).